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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

VITAMINS ONLINE, INC., a Delaware
corporation,

Plaintiff,

v.

HEARTWISE, INC., an Oregon corporation d/b/a
NATUREWISE,

Defendant.

Civil Action No. 2:13-cv-00982-DAK

NOTICE OF CROSS APPEAL

Judge Dale A. Kimball

Plaintiff Vitamins Online, Inc. hereby gives notice that it cross appeals to the United States Court of Appeals for the Tenth Circuit from the Final Judgment in this action entered on November 10, 2020 ([Dkt. No. 586](#)) and from all adverse intermediate rulings underlying the Final Judgment including but not limited to the order entered on June 24, 2020 ([Dkt. No. 530](#)). Plaintiff notes that this notice is timely because the time for filing it was tolled by virtue of the automatic bankruptcy stay and related statutory provisions (*see* [Dkt. No. 597](#)), which stay was lifted on December 17, 2021. Plaintiff requests that the Tenth Circuit consolidate this cross appeal with Defendant's appeal from the Final Judgment ([Dkt. No. 588](#)), docketed as 10th Cir. Appeal No. 20-4126.

DATED this 23rd day of December, 2021.

WORKMAN NYDEGGER

By: /s/ Chad E. Nydegger

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